

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

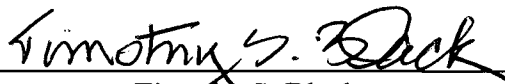
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|---------------------------|---|----------------------------------|
| UNITED STATES OF AMERICA, | : | Case No. 1:04-cr-126 (13) also |
| | | 1:08-cv-778 |
| Plaintiff, | : | |
| - vs - | : | District Judge Timothy S. Black |
| | : | Magistrate Judge Michael R. Merz |
| WILLIE WATKINS | : | |
| Defendant. | : | |

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #622), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that Defendant's Motion to Vacate under 28 U.S.C. § 2255 is DENIED with prejudice. Defendant is also DENIED a certificate of appealability. This Court further certifies to the Court of Appeals that any appeal would be objectively frivolous.

August 24, 2010.



Timothy S. Black
United States District Judge